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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul S. Danielson et al.
Serial No: 10/629,444
Filed: 07/29/2003
For: POUROUS GLASS
SUBSTRATES WITH
REDUCED AUTO-
FLORESCENCE

Attorney Docket: SP03-091
Examiner: Melanie J. Yu
Group Art Unit: 1641

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is an amendment in the above-identified application:

<input type="checkbox"/>	No additional fee is required.					
<input checked="" type="checkbox"/>	The fee has been calculated as shown below:					
	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		* HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	27	MINUS	26	1	1 X 50	\$50.00
INDEP	2	MINUS	2	0	X 200	\$0.00
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				+ 360	\$0.00
					TOTAL	\$50.00

* The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Corning Incorporated Deposit Account No. 03-3325.

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

(For Extensions of Time and other Petitions to the Assistant Commissioner)

DATE: 11/6/2006

Respectfully submitted,

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on 11-6-06
(Date)

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Appl. No. : 10/629,444
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Filed : 07/29/2003
Title : POUROUS GLASS SUBSTRATES WITH REDUCED AUTO-FLORESCENCE

TC/A.U. : 1641
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CERTIFICATE OF MAILING (37 CFR 1.8a)

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Lindsay J. Casbeer
Lindsay J. Casbeer

AMENDMENT

Interview Summary

Madame:

A telephone interview between the Examiner, Supervisory Examiner and the undersigned agent for the Applicant took place on October 24, 2006, concerning the above-captioned application. Independent claims 1 and 18 were discussed with respect to the Examiner's rejection of claims 1 and 18 under 35 U.S.C. § 103 as being unpatentable for obviousness over Pantano et al. (US 2003/0054176) in view of Agrawal et al. (US 2003/0148401) in the Office Action dated July 20, 2006.

Applicant proposed amending claims 1 and 18 as follows:

"1. A porous substrate comprising: a support; and an inorganic porous region on a surface of said support, the inorganic porous region having a surface capable of immobilizing probe molecules, the inorganic porous region having a tint and ~~exhibits~~ exhibiting a reduced level of auto-fluorescence of at least about 15%

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relative to a comparable non-tinted porous substrate surface, wherein said tint comprises ~~at least one of~~ Co_3O_4 ~~or~~ and NiO , ~~alone or in combination.~~”

“18. A tool for performing biological or chemical assays, the tool comprises a non-porous support; and an inorganic porous region on a surface of said support, the inorganic porous region having a surface capable of immobilizing probe molecules, the inorganic porous region having a tint and ~~exhibits~~ exhibiting a reduced level of auto-fluorescence of at least about 15% relative to a comparable non-tinted porous substrate surface, wherein said tint comprises ~~at least one of~~ Co_3O_4 ~~or~~ and NiO , ~~alone or in combination.~~”

Both claims 1 and 18 and claims depending therefrom now require both Co_3O_4 and NiO in the tint. Support for the amendment is shown in paragraph [0041] and in Table 2, examples 1-7. The Examiner and Supervisory Examiner indicated that claims 1 and 18 amended as such would be allowable over Pantano in view of Agrawal since Agrawal requires only one oxide and does not disclose using Co_3O_4 .

As such, in response to the Office Action of July 20, 2006 and the Telephone Interview dated October 24, 2006, please amend the above-identified as follows:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 10 of this paper.